

# **Frequently Asked Questions Regarding Continuing Education Requirements**

A Licensed Site Professional (“LSP”) must renew his or her license every three years. As part of the license renewal process, a LSP must submit evidence that he or she has fulfilled the continuing education requirements set forth in the Board’s regulations at 309 CMR 3.09. The continuing education requirements it proscribes are summarized below.

- Every three years an LSP must earn a minimum of 48 continuing education credits. These credits can only be earned by attending Board-approved courses, conferences, or conference workshops, or by taking Board-approved Internet courses.
- Twelve of the 48 credits must be earned by taking Massachusetts Department of Environmental Protection (“MassDEP”) courses. The complete definition of “MassDEP Course” is set forth in the Board’s regulations at 309 CMR 3.09(1). Consistent with these regulations, it is a course designed for LSPs taught “in whole or in substantial part by MassDEP personnel.” To qualify, the Board must approve it as a “MassDEP Course.” Depending on its content, the Board will classify a MassDEP Course as either a “Regulatory” or a “Technical” course.
- Eight of the 48 credits earned must be classified as “Regulatory.” The regulations classify all LSP continuing education credits as either “Regulatory” or “Technical.” Every three years, a LSP must earn a minimum of eight “Regulatory” credits. The remaining 40 credits may be either Technical or Regulatory credits. There is no minimum number of Technical credits that a LSP must earn. The Board categorizes a course as “Regulatory” if it focuses directly on the legal and regulatory requirements applicable to LSPs when they perform, supervise, and/or coordinate response actions at chapter 21E sites.

## **Frequently Asked Questions**

**Q: Can I carry over credits from one renewal period into the next if I earn more than 48 credits in a three year renewal period?**

**A:** No, the Board’s regulations at 309 CMR 3.09(2)(a) and (c), specifically state that [a LSP may not] *“apply continuing education credits earned during one license period toward another license period.”*

**Q: Can I earn all my credits in the last year of the three year renewal period?**

**A:** Yes, but it is not wise to wait until your third year to begin earning credits. There may not be sufficient approved courses available. This is particularly true with respect to MassDEP Courses. MassDEP sponsors courses when new chapter 21E regulations are promulgated or when it has another good reason to offer training to LSPs. For these reasons, LSPs are strongly advised to take MassDEP Courses whenever they become available. LSPs who wait until the third year to obtain MassDEP Course credits may find that insufficient MassDEP Courses are offered.

**Q: What should I do if at the end of the three year renewal period, I do not have enough credits to renew my license?**

**A:** Unless you are eligible and apply for a 90-day extension, your license will lapse at the close of business on the date of expiration of your license. In that eventuality, you are prohibited from acting as, advertising as, or otherwise holding yourself out to be a LSP. You have one year from your expiration date to obtain the credits you need and renew your license. *See* 309 CMR 3.06(3).

**Q: Can I obtain an extension to obtain the credits I need to renew my license?**

**A.** Yes, but not every LSP qualifies for a 90-day extension. Extensions are designed to provide additional time to LSPs who only need a few credits in order to renew their license. In fact, the Board's regulations at 309 CMR 3.06(4), require a LSP to earn a minimum of 36 continuing education credits to qualify for a 90-day extension. If that requirement is met a LSP can apply for a 90-day extension. Significantly, an application for an extension must be submitted before the license expires. The forms are available on the Board's website.

**Q: How does a course become "approved" by the LSP Board for credit?**

**A:** Either an LSP or the provider of a potentially qualifying course can seek approval by forwarding a written request. In brief, a request for course approval must include a course outline or syllabus; a resume or curriculum vitae; and any the other information described in the Board's regulations at 309 CMR 3.09(6). Additionally, the provider must maintain a record of attendance.

**Q: How can I find out what courses, conferences, conference workshops, and on-line courses, were approved for credit by the Board?**

**A:** All information regarding courses is posted on the LSP Board website. Course listings can be found at "*Current List of Board Approved Continuing Education Courses*" or "*News and Updates--Upcoming Board Approved Courses.*"

**Q: Can an approved course contain both Regulatory and Technical components and award some credits in each category?**

**A:** Yes, 309 CMR 3.09(1) provides in pertinent part: “Regulatory means continuing education that is reasonably likely to maintain or enhance the licensee's ability to competently perform, supervise and/or coordinate response actions (*i.e.*, assessments, containments and/or removals) in Massachusetts in compliance with applicable regulatory requirements.” On the other hand, “Technical means continuing education that is reasonably likely to maintain or enhance the licensee's ability to competently perform, supervise and/or coordinate the scientific and/or technical components of response actions (*i.e.*, assessments, containments and/or removals) in Massachusetts.” Therefore, the possibility exists that a course may contain both Regulatory as well as Technical elements.

**Q: I was recently approved to take the LSP exam. Before passing the exam, may I earn continuing education credits that I can use towards my first license renewal?**

**A:** Yes, once an applicant has been approved to take the exam, the Board’s regulations at 309 CMR 3.09(2)(a) allows you to earn continuing education credits that can be utilized at the initial license renewal.

**Q: Who should I contact if I have further questions about Continuing Education Requirements?**

**A:** You should contact the Board’s Continuing Education Coordinator, Lori Williamson, at 617-292-5629 or [lori.williamson@state.ma.us](mailto:lori.williamson@state.ma.us)